HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.7177 OF 2005

Between:

Manthri Radhamma and 25 others

… Petitioners

AND

The Secretary to Government of A.P.,
Revenue (FF.II), Department, Secretariat,
Hyderabad and three others

… Respondents

:: O R D E R ::

Counsel for the petitioners : Shri S. Sreenivas Reddy

Counsel for respondent Nos.1 to 3 : Government Pleader for Revenue

March 21, 2007

In this petition, the petitioners have made the following substantive prayer:

> "It is therefore just and necessary prays to the Hon'ble High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus and declare the action of the respondents in withholding Freedom Fighters pensions as illegal, arbitrary, unjust and against the principles of natural justice and direct the respondents to restore the pensions along with arrears of pension from the date of stoppage and pass such other order or orders as this Hon'ble

Court may deem fit and proper in the circumstances of the case".

At the hearing, Shri S. Sreenivas Reddy, learned counsel for the petitioners produced copy of G.O.Ms.No.1893, Revenue (F.F.III) Department, dated 18-12-2006 vide which the Government restored pension to 17 of the petitioners and rejected the claim of eight petitioners i.e., petitioner Nos. 5, 10, 14, 16, 17, 18, 19 and 23.

As regards petitioner No.2, learned Government Pleader stated that her claim has not been accepted because she is already receiving pension under the central scheme i.e., Swatantrata Sainik Samman Pension Scheme, 1980.

In view of the statements made by the learned counsel for the parties and G.O.Ms.No.1893, dated 18-12-2006, the writ petition is disposed of in the following terms:

i) The writ petition is disposed of as infructuous qua 17 of the petitioners.

ii) The remaining eight petitioners are given liberty to file fresh petition to challenge the rejection of their claim for restoration of the pension.

As a sequel to disposal of the writ petition, WPMP Nos.9552 and 33231 of 2006 filed by the petitioners are also disposed of as infructuous.

G.S.SINGHVI, C.J.

March 21, 2007

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